

PROVIDING FOR CONSIDERATION OF H.J. RES. 44, DISAPPROVING RULE SUBMITTED BY DEPARTMENT OF THE INTERIOR RELATING TO BUREAU OF LAND MANAGEMENT REGULATIONS; PROVIDING FOR CONSIDERATION OF H.J. RES. 57, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY DEPARTMENT OF EDUCATION RELATING TO ACCOUNTABILITY AND STATE PLANS; AND PROVIDING FOR CONSIDERATION OF H.J. RES. 58, PROVIDING FOR CONGRESSIONAL DISAPPROVAL OF RULE SUBMITTED BY DEPARTMENT OF EDUCATION RELATING TO TEACHER PREPARATION ISSUES

Mr. BYRNE. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 91 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 91

*Resolved*, That upon adoption of this resolution it shall be in order to consider in the House the joint resolution (H.J. Res. 44) disapproving the rule submitted by the Department of the Interior relating to Bureau of Land Management regulations that establish the procedures used to prepare, revise, or amend land use plans pursuant to the Federal Land Policy and Management Act of 1976. All points of order against consideration of the joint resolution are waived. The joint resolution shall be considered as read. All points of order against provisions in the joint resolution are waived. The previous question shall be considered as ordered on the joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Natural Resources; and (2) one motion to recommit.

SEC. 2. Upon adoption of this resolution it shall be in order to consider in the House any joint resolution specified in section 3 of this resolution. All points of order against consideration of each such joint resolution are waived. Each such joint resolution shall be considered as read. All points of order against provisions in each such joint resolution are waived. The previous question shall be considered as ordered on each such joint resolution and on any amendment thereto to final passage without intervening motion except: (1) one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Education and the Workforce; and (2) one motion to recommit.

SEC. 3. The joint resolutions referred to in section 2 of this resolution are as follows:

(a) The joint resolution (H.J. Res. 57) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to accountability and State plans under the Elementary and Secondary Education Act of 1965.

(b) The joint resolution (H.J. Res. 58) providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to teacher preparation issues.

The SPEAKER pro tempore. The gentleman from Alabama is recognized for 1 hour.

Mr. BYRNE. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentleman from Colorado (Mr. POLIS), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

GENERAL LEAVE

Mr. BYRNE. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BYRNE. Mr. Speaker, House Resolution 91 provides for consideration of three separate joint resolutions intended to address government overreach by using the Congressional Review Act process. The first measure deals with the Bureau of Land Management's Planning 2.0 rule. This rule represents a remarkable overreach that encroaches on State and local authority.

By law, BLM is required to coordinate with local governments, but this rule would disrupt that longstanding principle. Under the Planning 2.0 rule, faceless bureaucrats in Washington would be tasked with micromanaging much of our Nation's land and resources. The rule also disregards the Department of the Interior's multiple-use mission. If left intact, the rule will harm grazing, timber, energy, mineral development, and recreation on our public lands.

This is government overreach at its worst. The Federal Government should not be telling communities and States what works best for them. Decisions should be made on the local level, with site-specific considerations, not landscape-level analyses as called for in this rule.

For 4 years, I had the privilege of serving on the Planning Commission for the city of Mobile. Land use planning is and has historically been, in the United States, a local function.

Imagine a Washington bureaucrat trying to tell planning commissions in municipalities or counties anywhere in the United States how they are going to manage land down to the landscape level. That is not the role of the Federal Government. That is not what our Founding Fathers had in mind when they created this government. Yet this regulation would take us somewhere we have never been before.

Making matters worse, this regulation was pushed through in the waning days of the Obama administration, making it one of the many midnight regulations jammed through at the last minute.

□ 1230

This Congressional Review Act measure is supported by over 60 organizations, ranging from the American Farm Bureau Federation to the Na-

tional Association of Counties, to the National Mining Association. There is broad support for revisiting this misguided rule.

This rule also provides for consideration of Congressional Review Act measures for two rules from the Department of Education. Now, typically, in America, we think of education as a local and State endeavor. The Federal Government provides 15 percent, on average, of the funding for local school systems. Yet, we know that the Federal Government comprises over 50 percent of the requirements for red tape and paperwork. That imbalance harms our ability to deliver education at the local level where it matters the most.

As a member of the House Education and the Workforce Committee, I have been a consistent advocate for ensuring control over education is largely left in the hands of local school boards, teachers, parents, and administrators who know their students best.

I was very pleased to see Congress pass the Every Student Succeeds Act in 2015, which replaced No Child Left Behind and fundamentally changed our Nation's K-12 education policies. Even better, this was a bipartisan effort that brought Members from both sides of the aisle together; and, yes, it was signed by President Obama.

The Wall Street Journal called the Every Student Succeeds Act "the largest devolution of Federal control to the states in a quarter-century."

A major goal of our reform bill was to empower States to create their own accountability systems. This is something else that has been consistent throughout American history. We have looked to the States to put in these accountability systems. I served on the Alabama State Board of Education. This is much of what we did.

While there are broad-guiding principles outlined in the law, the intent of Congress was for there to be very little Federal involvement in the accountability process. Despite clear efforts in the Every Student Succeeds Act to limit the influence of the Federal Secretary of Education, the rule proposed by the Department of Education dealing with accountability gave far too much control to the Secretary, which ultimately harms our students.

Most concerning, the rule will restrict the flexibility that was at the core of the philosophy behind the Every Student Succeeds Act.

We heard from local administrators, local school board members, State superintendents of education, State school board members from all over the country, from all types of States and all types of communities. They wanted to have more flexibility. They wanted to have their own control over their accountability programs.

When the rule was first proposed, leaders in the House and Senate sent a very clear and thorough explanation of their concerns to the Department of Education. In fact, I even expressed my concerns about the proposed rule's contradiction of the statute directly to the

then-Secretary of Education. Unfortunately, most of the concerns of Congress went unaddressed. The final rule gives far too much authority to the Federal Department of Education and stands in direct contrast to law passed by Congress.

As States work on their accountability plans, it is important that they have certainty that the Federal Government will not continue to exert undue power and influence over the process. Through this Congressional Review Act challenge, we can ensure control is at the State and local level and prevent unnecessary Federal overreach into our classrooms.

Finally, this rule provides for a Congressional Review Act resolution overturning the Obama administration's teacher preparation regulation. This is yet another rule that would exert far too much Federal authority over an area that has been traditionally reserved for the States. Teacher preparation is critically important to the success of our Nation's education system, but it is a process that has been successfully controlled and implemented at the State level with some grant assistance from the Federal Government.

What might work to prepare a teacher in one State is totally different from what might work in another State. This rule makes no acknowledgment of that fact. This regulation sets up a one-size-fits-all Federal system, which is not what Congress intended.

As a former member of the Alabama State Board of Education, I can attest that we have highly qualified people who worked very hard every day to make sure we have skilled teachers in our schools who are adequately prepared. These school board members do not need the Federal Government to intervene and place additional burdens and requirements on them. The challenges are serious enough as it is.

Sadly, this regulation is just another attempt to allow bureaucrats in Washington to micromanage our States and local school districts. Groups like the American Council on Education and The School Superintendents Association expressed their concerns with the Federal overreach created by this rule. This resolution would block this unnecessary Federal involvement and keep control in the hands of the States, where it belongs.

Each of the three bills covered by this rule focus on taking power away from bureaucrats in Washington and, instead, empowering States and local communities. Heavy-handed policies from Washington have failed time and time again. It is critical that we use our power to overturn these overreaching regulations. It is clearly what the American people elected to us do.

Many on the other side of the aisle claim that, while they disagree with portions of these rules, Congress should not use the CRA process because it blocks the agencies from reissuing a rule in "substantially the same form." However, this argument ignores the

fact that the statute clearly states an agency may enact a similar rule if it is subsequently authorized by law. Thus, the CRA gives Congress the ability to rein in an out-of-control agency until we, the legislative branch, can give it further instruction.

Members on both sides of the aisle should welcome the chance to use this tool to make sure our legislative intent is actually followed by those implementing the law.

Mr. Speaker, I urge my colleagues to support House Resolution 91 and the underlying bills.

I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

I thank the gentleman for yielding me the customary 30 minutes.

Mr. Speaker, one of the greatest honors that I have had as a Member of Congress has been the opportunity to serve on the Education and the Workforce Committee and on the conference committee that put the Every Student Succeeds Act together in its final form.

Before coming to Congress, I chaired the Colorado State Board of Education; I founded two charter schools, the New America School and the Academy of Urban Learning; and I worked closely with educators, school board members, and parents across our State to improve the quality of our schools in Colorado.

I know firsthand the impact that Federal education policy has on States, on school districts, on schools, and on the families that they serve. So when I arrived in Congress, I was excited to roll up my sleeves and get to work on education policy.

One of the top issues in education when I arrived has always been the desire to replace No Child Left Behind, an outdated and inflexible law that, in many ways, set schools up for failure, with a new and better way of making sure that every student has the opportunity to succeed.

I heard from so many of my constituents that, under No Child Left Behind, schools were testing too much, districts lacked the flexibility they needed, and the Colorado Department of Education—like so many other State departments of education—was effectively at the whim of the U.S. Department of Education with regard to their State plans, effectively living waiver to waiver. That is no way to go about Federal education policy. It is why the Every Student Succeeds Act was so badly needed.

Now, early on, the work on the Every Student Succeeds Act wasn't as collegial as it should have been. Republicans introduced a hyperpartisan bill. It passed this Chamber with no Democrat votes and many Republicans voting against it as well. But throughout the process, one thing remained the same: Members were committed to moving past No Child Left Behind and replacing it with a bill that put the interests of students first. Finally that happened last Congress, 15 years after

the passage of No Child Left Behind and almost 6 years after the expiration of the authorizing statute; but, finally, Congress did its job.

I am proud to say that everyone on the Education and the Workforce Committee has shown that we believe that every child deserves a great education. We may have different ideas at times about how to achieve that goal, and that is okay, but we all value the result of ensuring opportunity for every child in our country.

It was that very commitment and value, as well as our willingness to work together, that produced the Every Student Succeeds Act. The bill passed overwhelmingly in the majority Republican House and Senate, and was signed by our then-Democratic President. It was and continues to be a bright spot of the last Congress, and what too often seems a Congress that is overwhelmed by partisanship.

Unfortunately, the bipartisanship under ESSA potentially ends with this bill. House Republicans have filed the resolution using the Congressional Review Act to overturn a key regulation consistent with the law that was finalized by the Obama administration in December. Now, before diving into the details of this particular Congressional Review Act that is considered under this rule, I want to say a little bit about the process.

We should look no further than the U.S. Constitution in learning how separation of powers works. There are three branches of government: the legislative, executive, and judicial. Each branch is separate, independent, and coequal, and different in how they function. That is an important background and a critical context in evaluating this legislation.

When Congress passed and the President signed the Every Student Succeeds Act in December of 2015, the process didn't end. Many bills, especially one as extensive as ESSA, require clarification from the Department of Education, the agency charged with executing the law. The text of the ESSA anticipated that. In fact, the law describes in detail how the Department of Education should and shouldn't write regulations. Frankly, that had been some of the problem under No Child Left Behind, is it lacked sufficient congressional direction with regard to the waiver process which was used effectively at the full discretion of then-Secretary of Education Duncan and President Obama.

It took the Department a year and a multistakeholder process, ensuring every voice was heard. Sure enough, a year after the legislation was passed, the Department of Education finalized its rules on accountability.

Last week, House Republicans took the first step towards taking a sledgehammer to that entire implementation. Rules that have extensive buy-in from stakeholders and are the blueprint for States in developing our State education plans would be thrown out

under this rule, effectively throwing public education into chaos across all 50 States and completely disregarding the hard work of educators, parents, school board members, superintendents, and principals over the last year.

The two education-related CRAs we are considering on the floor were introduced last Wednesday night. That is four legislative days between introduction and action. Once more, the CRAs weren't treated through the committee process. We did not consider them in the Education and the Workforce Committee. There were no hearings, no markups. In fact, the full Education and the Workforce Committee hasn't even had a markup yet with regard to a K-12 bill.

I am honored to be the ranking member on the Subcommittee on Early Childhood, Elementary, and Secondary Education, which has jurisdiction over one of these three CRAs under this bill. We had no hearings or markups on this bill. It is really a disservice to the over 50 new Members of this Congress—no imprint on this bill—as well as the Members at large, that this committee avoids the regular process.

It is also counter to promises that were made by Republican leadership about returning to regular order. The actions today couldn't be further from regular order because Republicans have chosen to utilize the Congressional Review Act to move bills from introduction to the floor without going through committee.

Unfortunately, the Congressional Review Act not only overturns regulations, but it prevents the Department of Education from writing a new regulation that is similar to the regulation that was overturned.

Now, Mr. BYRNE mentioned that there can be subsequent legislation that allows it. Let me point out that Every Student Succeeds Act was over 5 years overdue. It took Congress 5 years after the initial expiration of No Child Left Behind to even replace the authorizing statute. So if that is Congress' intent, we are putting the cart before the horse. We should alter or change the authorizing statute in a way that Democrats and Republicans agree, rather than throw out the work that has already occurred.

This statute would effectively tie the hands of the recently confirmed Secretary of Education DeVos and prevent her from implementing the will of this body through the Every Student Succeeds Act.

Over the past few weeks, my office has received hundreds of pieces of mail regarding education, largely in opposition to Secretary DeVos; but I think the issue is that Secretary DeVos, who was recently confirmed—this CRA would prevent her from doing her job and implementing the Every Student Succeeds Act.

Let me just say that this guidance on accountability isn't just for show. It is at the very heart of the Every Student Succeeds Act, which Democrats and

Republicans supported. It has real impact.

I want to close my opening remarks with a story about that real impact from Christina in Pennsylvania, whose son has a learning disability. Christina's son has always had a tough time in school due to diagnosed dyslexia, dysgraphia, and ADHD. While he is a smart and personable kid, when it came time to read and write, he could be thought of as the "bad" kid too often, and he acted out.

It would have been easy for the school to write him off without the protections that are offered under IDEA, but, luckily, he was required to participate in assessments. That accountability encouraged the school to work harder and to stick with it and to figure out why this otherwise smart student couldn't read simple words in different places on a page or demonstrate his achievement of knowledge.

□ 1245

If his school wasn't required to show student progress, there wouldn't have been the incentive for them to invest their time and money in helping his special needs. Without accountability, Christina's son's school would have had little incentive to set appropriate educational goals for him and offer the support necessary to reach them.

Accountability requirements inform school administrators, teachers, parents, students, and the community at large that all students have a learning goal and make sure that all students have the tools to get there.

Today, Christina's son is a college freshman majoring in biology with a 3.2 GPA. The accountability in this CRA that would be thrown out would undermine the very accountability that allowed not only Christina's son to succeed but so many other children across our country.

Mr. Speaker, I reserve the balance of my time.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I would like to respond just briefly to a couple of points that my colleague from Colorado made, and I want to compliment him and his service on our committee. He is a tremendous member, and we appreciate his leadership.

We had a little bit of a constitutional law lesson there. The truth of the matter is, the Department of Education only exists because of an act of Congress. The only powers it has are the powers that we give them through the authorizing legislation. What we authorize, we can unauthorize.

The Every Student Succeeds Act took back a number of things we had authorized under No Child Left Behind. This is no violation of the separation of powers under the Congressional Review Act when we look at a rule-making authority that we have given to a Federal agency and see that they have done it in a way that is contrary to congressional intent and we take it back. We

have the authority to do that, and we should take it back when we see overreach like this.

He also brought up how this might tie the hands of our new Secretary of Education, and I will take this point in time to congratulate her on her confirmation. What this will require her to do is to work with the Congress to make sure that we are on the same page.

I remember very clearly when the former Secretary of Education came before our committee. I, and many others, pleaded with him not to put out this rule because we told him this is not in keeping with the intent of Congress and with the words of Congress in the statute. He went forward anyway.

I believe Secretary DeVos is going to work with Congress to make sure, as the Department of Education, under her management begins to implement this law, it is done so in keeping with the letter and the spirit of the law.

I hope that that is what we will do between the legislative branch and the executive branch and every department of government, but, in the last 8 years, we didn't see very much of that. We basically had the executive branch of government force feeding things to us.

I think it is high time that we take action, whatever party we are in, to exercise our Article I powers to make sure we maintain control over the things we created through our authorizing statutes.

So I don't foresee the problems with the incoming Secretary of Education that my good friend from Colorado does.

Mr. Speaker, I yield 3 minutes to the gentleman from Texas (Mr. BABIN).

Mr. BABIN. Mr. Speaker, I thank the gentleman from Alabama (Mr. BYRNE) for his leadership on this issue.

Mr. Speaker, I represent a part of the country that is the economic engine of not only Texas but our entire Nation. My Houston area district and the surrounding districts are responsible for some of the strongest economic growth in our entire country. These are good, well-paying jobs. There are few places in the Nation where you can graduate from high school, get some trade school certifications, and then be earning close to six figures just a couple of years out of high school.

You can do that in my district, where the petrochemical plants are thriving because of the low cost of crude oil and natural gas. Manufacturing is coming back and growing strongly in the petrochemical sector. Over \$150 billion is being invested by American chemical countries across the Nation, with the largest concentration in the Houston area.

The previous administration took numerous steps to stop the oil and gas boom, and the Bureau of Land Management rule that was published in the waning days of the Obama administration was an example of one such overreach. This ill-advised rule was aimed at removing States and localities from

the BLM decisionmaking process and centralizing decisionmaking by a few political appointees here in Washington, D.C.

This move simply undermines local communities and States. It undermines our ability to develop oil and gas resources on public lands. It threatens American jobs.

I call on my colleagues to put American manufacturing first. A vote for this bill today is a vote for American manufacturing jobs, many of them high-paying, blue-collar jobs and many of them union jobs across America's petroleum and chemical plants.

I strongly urge my colleagues to support and vote for this bill.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am seeing a lot of feigned indignation about the accountability provisions of this bill. It wasn't that long ago when we passed the Every Student Succeeds Act when Democrats and Republicans came down here and said we are giving the Secretary specific authority around accountability for preventing Secretaries from doing rogue things that both sides have perceived previous Secretaries had done, and the authorizing statute was passed by Democrats and Republicans.

Now, all of a sudden, we have Republicans coming down here gutting the very accountability provisions that they themselves lauded under the bipartisan Every Student Succeeds Act, which passed in this body overwhelmingly, as well as in the U.S. Senate.

It is a little hard to understand how Republicans are upset with the very authority around specific parameters around that authority that they specifically gave to the Secretary of Education. Again, if there are particular quibbles, there is a different Secretary of Education now. Those rules can be changed through a stakeholder process—and they may very well be—but now Republicans are seeking to tie the hands of the new Secretary of Education and throwing out all of the hard work that I got to see people in Colorado working on, and I know occurred in many other States, to come up with thoughtful, sensible accountability plans that met the legislative intent of Democrats and Republicans in this body.

Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. CROWLEY), the chair of the Democratic Caucus.

Mr. CROWLEY. Mr. Speaker, I thank the gentleman from Colorado for yielding.

Mr. Speaker, first, let me say that the previous question and the rule should be defeated not just because it is designed to undo the protections that help the American people but because voting for this will prevent Congress, this Chamber, this body from clearly rejecting some of the White House's worst behavior.

Just over a week ago, the White House issued a statement on Inter-

national Holocaust Remembrance Day. That statement failed to mention that 6 million Jewish people were killed in the Holocaust. It never mentioned them.

It is deeply troubling because the United States has, until now, been at the forefront of the fight against efforts that would deny the extent of Jewish suffering and death during the Holocaust. And yes, there are still many deniers of the Holocaust who traffic in conspiracy and claim the whole thing never happened.

It should be a shocking omission coming from the White House, but, frankly, not all that surprising for an administration based on a campaign that trafficked in anti-Semitism.

But you know what? I thought to myself: maybe they will fix the statement; maybe this is all a misunderstanding, an accident. But no, they didn't fix it. They doubled down and they defended it. Not only that, we found out that the White House purposely took out the language stating that Jews died in the Holocaust. So it was not an error. It was purposeful from beginning to end.

Now, I know this: the White House thinks it is living in a post-factual world. They think that they can get away with saying anything they like and anything they want and that people will just believe it. But the truth is, what they say has very, very real consequences.

Even after our parents and grandparents, the Greatest Generation, fought and worked so hard to defeat Nazism, now we see a public dinner party held right here in this city where people were doing the Nazi salute.

Even after there has been so much work to stop targeting religions, now we are seeing a resurgence of swastikas across the country and around the world.

Even after law enforcement has worked hard to protect our people, now there is a wave of bomb threats against synagogues.

This is what is happening. This is fact. Frankly, those now feeling emboldened were inspired by the President, first in his campaign and now in his Presidency.

We all know that one of the President's members of his National Security Council led a website that fosters extremist views. So don't count me amongst the surprised when the White House issues a statement like this, but don't expect me to accept it either. None of us, Democrat nor Republican, should accept it.

So I urge my colleagues to vote against this previous question, against this rule, to allow consideration of a resolution that states this Congress' clear position against Holocaust deniers. We need to restate the truth as clearly as we can.

The White House was wrong on this issue, and here are some more facts. Yes, the Holocaust happened. No, the Jewish people weren't simply another

group of people in a long list of targets. The Holocaust was designed to eliminate the Jewish people from the face of the Earth. Other groups of people were targeted and killed, but anti-Semitism was at the core of the Nazi ideology of a Final Solution.

As the late Nobel Peace Prize recipient Elie Wiesel said, while receiving the Congressional Gold Medal from President Ronald Reagan: "It is true that not all victims were Jews, but all the Jews were victims."

I implore my colleagues on both sides of the aisle to reject this measure so that we can, in a bipartisan way, express the truth. If people aren't going to tell the truth about this then we are all lost.

Truthfully, I found the White House statement to be shameful. It needs to stop, and it needs to stop now. This is your chance to lend your voice to the record. Will you stand with me? Will you stand against Jewish Holocaust deniers? Don't be enablers. This is your opportunity. There may not be another to repudiate what the White House has done.

Vote "no" on this previous question and vote "no" on this rule.

Mr. BYRNE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I appreciate the passionate remarks of the gentleman from New York. The Holocaust is something that all of us should learn more about and take seriously.

There are people today who would seek to destroy the Nation of Israel. The leadership of Iran has said that over and over again, yet the previous administration reached an egregious deal with them that puts the Nation of Israel at risk.

So I take no back seat to anybody in standing up for the Jewish people, as I and many other people in this body have done, but we are here today to talk about two education bills and a third bill dealing with the Bureau of Land Management. I would like to redirect our debate to those subjects.

Mr. Speaker, I reserve the balance of my time.

Mr. POLIS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the Holocaust was an unspeakable atrocity resulting in the murder of more than 6 million Jews. As a Jewish American, it is very difficult to talk about. But, of course, in my own family, I can only imagine the grief that my grandparents and great grandparents had not knowing, not hearing from their relatives in the old country. And, of course, finding out the very worst—that they had disappeared.

□ 1300

I know my Uncle Henry, who lives in New York with his wife, Arlene, my dad's sister, who was able to escape Vienna on a Kindertransport, one of the very last ones, as a young man, effectively growing up as an orphan in Switzerland during the war and escaping the mass slaughter that killed most of

his family targeted, of course, merely because they were Jews.

The Holocaust was a deliberate and planned act of slaughter and genocide against the Jewish people; and the fact that it was targeted against the Jewish people, resulting in over 6 million deaths, cannot be delinked from our remembrance of one of the greatest horrors of modern history.

It is especially troubling in the current environment, where we have seen an increase in anti-Semitism and racism, generally, since the election of President Trump. Just last week, the Jewish Community Center in my district in Boulder, Colorado, had to close because of a bomb threat, the families and children sent home. We have seen swastikas on New York City subways and in our schools.

Frankly, I think many Jewish Americans are fearful about what the intentions are of the occupant of the White House and his top advisers and what we can do as a country to combat this; and it is exactly the wrong message to send on Holocaust Remembrance Day, to leave out the obvious truth that continues to be denied by anti-Semitic leaders around the world, including former Presidents of Iran and Supreme Leaders of Iran and others, that the Holocaust was a deliberate effort of terror and genocide directed against the Jewish people by the Nazi regime.

Mr. Speaker, if we defeat the previous question, I will offer an amendment to the rule to bring up Mr. CROWLEY's resolution which would reiterate the fact that the Nazi regime targeted the Jewish people and calls on the executive branch to affirm this fact.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment in the RECORD, along with extraneous material, immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. FORTENBERRY). Is there objection to the request of the gentleman from Colorado?

There was no objection.

Mr. POLIS. Mr. Speaker, over the last few years, one complaint I have heard over and over is how inconsistent education policy has been. States have been using waivers at the discretion of the Department of Education. Finally, educators, school board members, families, hope that ESSA, the Every Student Succeeds Act, could provide more stability. Unfortunately for States, undoing the accountability CRA would only reenergize that uncertainty.

For months, States have been working on their State plans, and I have had the opportunity to join our Colorado group that has been working on that plan as required under the Every Student Succeeds Act. We have had guidance from the Department of Education since last November, and we have been writing our State plans with that in mind. Now, if this regulation is overturned, it would pull the rug out from States that have been working diligently to enact their plans.

Likewise, H.J. Res. 58, another education-related bill that would occur under this rule, would effectively unravel the Department of Education's teacher preparation regulations. In the Higher Education Act, States are required to assess the effectiveness of teacher prep programs, and this regulation simply provides guidance for how States can do that, making sure our teacher training programs work, making sure that we are improving the quality of our public educators.

This provision also requires that TEACH grant recipients attend high-performing teacher prep programs. It is not a matter of picking winners and losers; it is making sure that our taxpayer dollars are used effectively to train high-quality educators.

If money is going to be invested in future teachers at high-needs schools, we want to make sure that teachers are attending the highest quality programs available. At the end of the day, a great education starts with a great teacher in the classroom, and this requirement ensures that even the neediest students have access to a great teacher. Taken together, these two bills represent a strategic attempt by Republicans to undermine public education.

The other CRA, which is completely unrelated to the two education-related CRAs, is actually related to a land management issue. I want to describe why that is a bad idea as well.

I come from a Western State. My district that I represent is over 60 percent public lands, so this BLM plan will actually affect my district, and that is why I am so impassioned to speak here today and listen to others in my State about this rule.

A revision of this BLM plan is long overdue. Few plans or rules can remain relevant for decades, and BLM's planning was last drafted in 1983. Needing a new planning system may not sound like the most exciting thing in the world, but it is actually critical because it can impact everything from cultural to environmental resources, to jobs in the economy in our district which relate to our use of public lands. That is why I have been contacted by groups of sportsmen, county commissioners, outdoor recreation groups, and conservationists asking how Congress can be wasting their time repealing something that makes BLM's process more transparent and conclusive.

Local control and constituent input are top priorities for those of us who live in and around public land, particularly in the West, so it makes sense that many counties and groups in Colorado who have worked with BLM offices on land use are pleading with Congress not to use a CRA to repeal this commonsense rule and join their voices with ours in opposition to this rule and this bill. The kinds of groups opposed to this bill include the International Mountain Bicycling Association because they know that, even though the planning process isn't perfect and, of

course, can be refined, it would be a huge mistake to throw out the whole thing and bar the BLM from making necessary modernizations moving forward, especially when the Republicans are in the driver's seat.

Hunting and fishing groups and outdoor industry businesses, like the Outdoor Industry Association, Backcountry Hunters & Anglers, and the Theodore Roosevelt Conservation Partnership, know that this planning process will give them the voice they need in the planning process without diminishing anyone else's role. I believe that those who have actually experienced and been part of the process are the voices that need to be heeded when we are determining if the planning has been a success.

Here are a few of the quotes from some counties in Western States that have been part of the process and support the new planning system. From Lewis and Clark County in Idaho:

A great example of the potential of Planning 2.0 can be found in eastern and central Idaho, where the BLM is preparing to engage in a land use planning process for public lands from the big desert to the benches of the Salmon River. At the behest of local BLM leadership, which has already been operating under the spirit of Planning 2.0, a number of sporting groups, conservation organizations, and Salmon Valley stewardship have reached out to a wide-ranging constituency of ranchers, loggers, motorized users, sportsmen, and other groups. The benefit of this early conversation can be very valuable to sportsmen. Take the Donkey Hills at the headwaters of the Pahsimeroi River as an example. There has been near unanimous agreement that the critical elk calving area in the Donkey Hills needs thoughtful consideration as a critical wildlife area.

From Missoula County, Montana:

Western Montana, where the Missoula BLM field offices engaged in a land-use planning revision process for public lands from the John Long Range to Joshua Park all the way to the Garnet Range, through this process, BLM has piloted the steps in Planning 2.0 to further engage the public in land management decisions.

I include in the RECORD letters from both of these counties, as well as a letter from a group of outdoor industries asking for this body to oppose the CRA.

LEWIS & CLARK COUNTY,  
BOARD OF COUNTY COMMISSIONERS,  
Helena, Montana.

Re the Bureau of Land Management's Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (February 25, 2016).

NEIL KORNZE,  
Director, Bureau of Land Management,  
Washington, DC.

DEAR DIRECTOR KORNZE: The Lewis and Clark County Board of County Commissioners offer this letter of support for provisions of the Bureau of Land Management's (BLM's) Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016) (the Proposed Rules). We appreciate the effort to improve opportunities for public involvement earlier in the planning processes, including the chance to review preliminary resource management alternatives and preliminary rationales for those alternatives.

We value our relationship with our federal partners, and our constituents are impacted

greatly by actions taken by your agency. Increasing access to the planning process and targeting your efforts towards greater public involvement enhances the relationship between the people and their government, and we support your initiative.

Additionally, we note that the Proposed Rules also expand opportunities for states and local governments to have meaningful involvement in the development of BLM's land use decisions. The Proposed Rules continue to provide for coordination with state and local representatives in order to ensure, to the extent available under federal law, that RMPs are consistent with state and local land use plans, as provided in the Federal Land Policy and Management Act of 1976.

Sincerely,

MICHAEL MURRAY,  
*Chairman*  
SUSAN GOOD GEISE,  
*Vice Chair*  
ANDY HUNTTHAUSEN,  
*Member*

BOARD OF COUNTY COMMISSIONERS,  
Missoula, MT, May 23, 2016.

Re Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674.

Director NEIL KORNZE,  
Bureau of Land Management,  
Washington, DC.

DEAR DIRECTOR KORNZE: We are writing you to commend you and the Bureau of Land Management (BLM) for your efforts to improve BLM's planning process (Planning 2.0) and better address the diverse interests found in Missoula County and other communities across the western United States.

Missoula County is approximately 2,600 square miles in size, and federal management in the county accounts for 52 percent of the land ownership. The BLM manages roughly 23,000 acres for the public in Missoula County and the sustainable management of these public lands is vitally important to the residents we represent. Our citizens and local economies depend on state and federal lands for water quality and quantity, as well as for multiple sustainable uses ranging from outdoor recreation to livestock grazing to mineral exploration and development. Consequently, we wish to thank the BLM for proposing to address their land management options from a landscape perspective. This approach recognizes that the management of federal lands has a direct impact on other properties well beyond those close to or adjacent to BLM managed land.

We support the provisions of the BLM's Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016). These rules provide additional opportunities for public involvement earlier in the planning process, including the chance to review preliminary resource management alternatives and preliminary rationales for those alternatives. This early public involvement will help resolve conflicts and produce a Resource Management Plan that better reflect the needs of our citizens as well as others who use the public lands and have a stake in their future. Equally important is the improved openness and transparency the rules bring to the process, allowing any local government to actively participate and share information on issues critical to local residents and their elected representatives.

The proposed rules continue to provide for coordination with state and local representatives in order to ensure, to the extent allowable under federal law, that Resource Management Plans are consistent with state and local land use plans, as provided in the Federal Land Policy and Management Act of 1976.

Thank you for considering our comments. If you or your staff have any questions, please feel free to contact us or our Chief Planning Officer, Patrick O'Herren.

Sincerely,

NICOLE ROWLEY,  
*Chair*  
JEAN CURTISS,  
*Commissioner*  
STACY RYE,  
*Commissioner*

FEBRUARY 3, 2017.

Re H.J. Res. 44 to disapprove BLM's Planning 2.0 rulemaking.

Rep. LIZ CHENEY,  
Washington, DC.

DEAR REP. CHENEY: As representatives of the outdoor recreation community and industry, we write to express our support for the Bureau of Land Management's Planning 2.0 initiative and our opposition to its disapproval through the Congressional Review Act. Collectively, our members recreate on BLM lands across the country and have a deep and personal interest in the management of these areas, and these public lands are also essential to supporting our businesses. While Planning 2.0 may require improvements, those necessary targeted changes would be foreclosed by a CRA disapproval, drastically setting back the ability of BLM to deliver much needed modernizations to the agency's planning process.

In our experience with land management planning across agencies, a modern approach to planning built on robust public engagement from the earliest stages of the planning process is a tremendous benefit to land use management. It is an essential step toward alleviating conflicts, ensuring appropriately balanced and ordered uses, and stewarding our country's public lands. Although there are aspects of BLM's Planning 2.0 rulemaking that could be improved, this effort has produced a strong step forward for the agency's planning process, and we believe strongly that throwing this rulemaking out in its entirety would be a costly and unproductive decision.

During the Planning 2.0 development process, BLM engaged in impressive public outreach and worked in an open and collaborative fashion with a full spectrum of public lands stakeholders. We believe the outcome is a process that provides greatly improved opportunities for public input in land use planning, in particular in helping the agency better understand the values Americans ascribe to their public lands, including where people go, why people go there, and the experiences that these landscapes enable that are an essential part of their inherent value. It also does a much better job of recognizing the importance of recreation, including for local economies, and greatly improves the agency's ability to handle data.

Our feedback on this rulemaking is in part based on our experience with the Forest Service's 2012 revisions to its planning rule, which made similar changes to the Forest Service's planning process. As that rule is being implemented, we are seeing a significantly more transparent process, with better up-front data collection and more opportunities for collaboration. In North Carolina, for example, where we have been engaged in Forest Planning on the Nantahala-Pisgah Forests, loggers and hunters, kayakers and off-road enthusiasts have been working side-by-side to develop consensus recommendations for the Forest Service. Far from circumventing local input, these modern planning processes reward long-term, local engagement, and empower local communities to develop visions for their public lands in concert with a full array of stakeholders.

Planning 2.0 has been a valuable step in helping BLM modernize its planning process, and we believe strongly that—while targeted improvements to the rulemaking may be possible—this rulemaking should not be thrown out through the Congressional Review Act. Congress is well positioned to pursue necessary changes or improvements with the new administration, whereas CRA disapproval would not only block these changes, but stymie future agency efforts at modernization.

Thank you for considering our perspective on maintaining this important step in modernizing BLM planning.

Best regards,

ADAM CRAMER,  
*Executive Director*,  
*Outdoor Alliance*.  
JOHN STERLING,  
*Executive Director*,  
*The Conservation Alliance*.  
AMY ROBERTS,  
*Executive Director*,  
*Outdoor Industry Association*.  
TIM BLUMENTHAL,  
*President*,  
*PeopleForBikes*.

Mr. POLIS. Finally, in my home State of Colorado, a great example of stakeholders who know the new process is working is Park County, which I have the honor of representing part of. As part of revising the Eastern Colorado Resource Management Plan, the Royal Gorge Field Office in Colorado has already embraced and implemented some of the ideas for Planning 2.0, including recent envisioning sessions that involve multiple stakeholders.

I include in the RECORD a letter from Park County, Colorado.

COUNTY OF PARK,  
BOARD OF COUNTY COMMISSIONERS,  
May 12, 2016.

Re the Bureau of Land Management's Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (February 25, 2016).

NEIL KORNZE,  
Director, Bureau of Land Management,  
Washington, DC.

DEAR DIRECTOR KORNZE: The undersigned representatives of local government are writing to share their support for provisions of the Bureau of Land Management's (BLM's) Proposed Resource Management Planning Rules, 81 Fed. Reg. 8674 (Feb. 25, 2016) (the Proposed Rules). In particular, we support the provisions of the Proposed Rules that provide additional opportunities for public involvement earlier in the planning process, including the chance to review preliminary resource management alternatives and preliminary rationales for those alternatives.

Each of undersigned representatives come from local jurisdictions whose land bases include substantial amounts of public lands managed by BLM. The management of these public lands is vitally important to the citizens we represent. Our citizens and local economies depend on these lands for sustainable multiple uses, from outdoor recreation to livestock grazing to mineral exploration and development.

The current BLM planning methodology lacks adequate opportunities for public involvement, particularly early in the process. It also lacks transparency. It often results in a range of alternatives that fails to address the concerns of all stakeholders. The proposed changes would provide the public with



an opportunity to raise concerns and review potential management alternatives before these alternatives become solidified in a draft Resource Management Plan (RMP). This early public involvement will hopefully help resolve conflicts and produce RMPs that better reflect the needs of our citizens as well as others who use the public lands and have a stake in their future.

In addition, we note that the Proposed Rules also expand opportunities for states and local governments to have meaningful involvement in the development of BLM's land use decisions. The Proposed Rules continue to provide for coordination with state and local representatives in order to ensure, to the extent available under federal law, that RMPs are consistent with state and local land use plans, as provided in the Federal Land Policy and Management Act of 1976.

Sincerely,

MIKE BRAZELL,  
*Chairman, County of Park.*

Mr. POLIS. It reads, in part: "The current BLM planning methodology lacks adequate opportunities for public involvement, particularly early in the process."

This rule that the CRA would invalidate addresses some of the shortcomings in the current rule. This last point is especially important, that changes would provide the public with an opportunity to raise concerns and review potential management alternatives before those alternatives become solidified. By having an opportunity for early involvement, BLM can actually avoid expensive litigation after a plan is complete.

This legislation is not only good for transparency, public involvement, and environmental and wildlife protections, but it saves taxpayer dollars. I don't know how anyone can oppose that. The process has widespread support from those of us who live in and around public land, from people who are on the ground, including landowners, farmers, ranchers, sportsmen, and conservationists.

In a hearing in the Committee on Natural Resources, one of our witnesses was a rancher from my home State of Colorado, who eloquently spoke about how the old system was not working and how this desperately needed new system had worked well in its limited implementation.

BLM Planning 2.0 is working, and a CRA that will never allow the BLM to modernize its process, the process that has been locked in place since 1983, is simply thoughtless legislating for cheap political points.

Mr. Speaker, the resolutions before us today represent everything that is wrong with Washington. When our constituents sent us here to Washington, D.C., they weren't asking us to engage in partisan bickering and using brutal techniques to undo thoughtful, nuanced regulation. If Members of this body have problems with rules that have been promulgated, change the authorizing statutes; don't simply prevent the agencies from enacting the very things that this body has told them to do. It doesn't make sense.

We have not engaged in regular order. We have avoided a thoughtful, deliberative process, and, unfortunately, the resolutions before us are yet another example of that. These resolutions undermine the basic responsibility of the Department of Education and the Bureau of Land Management. They are a shortsighted strategy for governing that will have long-term negative consequences for our public lands and our use thereof, as well as for children in our schools and educators.

We should fix accountability and make it work in education rather than throw it out. We should make sure that our teacher training programs and those whom we support with your taxpayer money are the best possible teacher training programs; and, of course, we should have a multistakeholder process around use of our public lands, including recreationists, residents, county commissioners, and others.

For that reason, I strongly oppose the rules before us. I urge my colleagues to vote "no." I also urge my colleagues to defeat the previous question so we can bring up Mr. CROWLEY's bill, which I think is a bill that would receive, hopefully, unanimous support in this body with regard to the remembrances of the Jewish victims of the Holocaust.

Mr. Speaker, I yield back the balance of my time.

Mr. BYRNE. I yield myself the balance of my time.

Mr. Speaker, the gentleman talks about regular order. This particular regulation from the Bureau of Land Management was enacted very quickly and hurriedly without input from State and county governments. So, essentially, this was a hurried-through rule that didn't have the regular order input that it should have had, yet another reason why it should be reversed through this Congressional Review Act.

But it is also the case that this doesn't mean the BLM doesn't have any authority here. They can go back to their old regulation, which was already in place, and they can come up with a new rule so long as it is not a substantially similar rule, or they can come to us and seek specific authorization. The truth of the matter is this particular regulation has had so many problems, it cannot be tweaked or amended. They need to start all over again and take input from State and local government.

Now, I heard the gentleman talk about people who hunt and fish. I am a lifelong hunter and fisherman. In fact, I believe the gentleman has invited me to come to Colorado to go fishing with him, and I have invited him to come to the Gulf to come fishing with me. I spend a lot of my time with people who hunt and fish all over the country, and I have never heard anybody in the hunting and fishing community say: I really want the Federal Government to tell me when and how and where I can

hunt and fish. Quite the opposite. My friends who hunt and fish want the Federal Government to stay out of it. They would rather let local and State people make those sorts of decisions, particularly as they pertain to land use management.

On the education issues, as I said before, I was an 8-year member of the Alabama State Board of Education. My colleague from Colorado said something that is so true: getting a high-quality, well-trained, caring teacher in the classroom is the most important thing we can do for our schoolchildren. I don't trust the Federal Government to do that better than I trust State and local officials to do it.

We had this law, No Child Left Behind, that gave the Federal Government the power to determine when a teacher was highly qualified or not. I don't think anybody in Washington knows better how to assess whether a teacher is highly qualified or not than the principal and superintendent that that teacher works for, than the local school board that that teacher works for. There is nobody up here who can know that better than they can.

There is nobody up here who can do a better job of looking at the teacher preparation programs and saying they are good or bad than State school boards, most of whom, like me, were elected by the people, accountable to the people, instead of somebody up here who sits in some office and makes that decision for them.

Do we really think that is what the American people want? The American people want control of their lives back. They are tired of Washington bureaucrats telling them what to do, and they are really tired of the Federal Government telling the people they entrust with the education of their children what to do and what not to do. They want the people who make those decisions to be the people who live in their communities, that they see in church, that they see at the grocery store, that they interact with at the school every day. That is what they want. And they want us, the Federal Government, to get out of the way.

□ 1315

I talked to dozens and dozens of people who are school board members and teachers and people involved in the school administration who said this regulation by the Department of Education Accountability is way over the line, please don't let them go through with that. So we are being responsive to those people in doing this, and I am proud that we are.

Mr. Speaker, I again urge my colleagues to support House Resolution 91 and the underlying joint resolutions.

The material previously referred to by Mr. POLIS is as follows:

AN AMENDMENT TO H. RES. 91 OFFERED BY  
MR. POLIS

At the end of the resolution, add the following new sections:

SEC. 4. Immediately upon the adoption of this resolution the House shall proceed to the consideration, without intervention of

any point of order, in the House of the resolution (H. Res. 78) reiterating the indisputable fact that the Nazi regime targeted the Jewish people in its perpetration of the Holocaust and calling on every entity in the executive branch to affirm that fact. The resolution shall be considered as read. The previous question shall be considered as ordered on the resolution and preamble to adoption without intervening motion or demand for division of the question except one hour of debate equally divided and controlled by the chair and ranking minority member of the Committee on Foreign Affairs.

SEC. 5. Clause 1(c) of rule XIX shall not apply to the consideration of House Resolution 78.

THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Republican majority agenda and a vote to allow the Democratic minority to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives (VI, 308-311), describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

The Republican majority may say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the Republican Leadership Manual on the Legislative Process in the United States House of Representatives, (6th edition, page 135). Here's how the Republicans describe the previous question vote in their own manual: "Although it is generally not possible to amend the rule because the majority Member controlling the time will not yield for the purpose of offering an amendment, the same result may be achieved by voting down the previous question on the rule . . . When the motion for the previous question is defeated, control of the time passes to the Member who led the opposition to ordering the previous question. That Member, because he then controls the time, may offer an amendment to the rule, or yield for the purpose of amendment."

In Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule [a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: "Upon rejection of the motion for the previous ques-

tion on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Republican majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

Mr. BYRNE. I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore (Mr. REED). The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. POLIS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, the Chair will reduce to 5 minutes the minimum time for any electronic vote on the question of adoption of the resolution.

The vote was taken by electronic device, and there were—yeas 234, nays 187, not voting 11, as follows:

[Roll No. 81]

YEAS—234

Abraham	DesJarlais	Jordan
Aderholt	Diaz-Balart	Joyce (OH)
Allen	Donovan	Katko
Amash	Duffy	Kelly (MS)
Amodei	Duncan (SC)	Kelly (PA)
Arrington	Duncan (TN)	King (IA)
Babin	Dunn	King (NY)
Bacon	Emmer	Kinzing
Banks (IN)	Farenthold	Knight
Barletta	Faso	Kustoff (TN)
Barr	Ferguson	Labrador
Barton	Fitzpatrick	LaHood
Bergman	Fleischmann	LaMalfa
Biggs	Flores	Lamborn
Bilirakis	Portenberry	Lance
Bishop (MI)	Fox	Latta
Bishop (UT)	Franks (AZ)	Lewis (MN)
Black	Frelinghuysen	LoBiondo
Blackburn	Gaetz	Long
Blum	Gallagher	Loudermilk
Bost	Garrett	Love
Brady (TX)	Gibbs	Lucas
Brat	Gohmert	Luetkemeyer
Bridenstine	Goodlatte	MacArthur
Brooks (AL)	Gosar	Marchant
Brooks (IN)	Gowdy	Marino
Buchanan	Granger	Marshall
Buck	Graves (GA)	Masie
Bucshon	Graves (LA)	Mast
Budd	Graves (MO)	McCarthy
Burgess	Griffith	McCaul
Byrne	Grothman	McClintock
Calvert	Guthrie	McHenry
Carter (GA)	Harper	McKinley
Carter (TX)	Harris	McMorris
Chabot	Hartzler	Rodgers
Cheney	Hensarling	McSally
Coffman	Herrera Beutler	Meadows
Cole	Hice, Jody B.	Meehan
Collins (GA)	Higgins (LA)	Messer
Collins (NY)	Hill	Mitchell
Comer	Holding	Moolenaar
Comstock	Hollingsworth	Mooney (WV)
Conaway	Hudson	Mullin
Cook	Huizenga	Murphy (PA)
Costello (PA)	Hultgren	Newhouse
Cramer	Hunter	Noem
Crawford	Hurd	Nunes
Culberson	Issa	Olson
Curbelo (FL)	Jenkins (KS)	Palazzo
Davidson	Jenkins (WV)	Palmer
Davis, Rodney	Johnson (LA)	Paulsen
Denham	Johnson (OH)	Pearce
Dent	Johnson, Sam	Perry
DeSantis	Jones	Pittenger

Poliquin	Sanford	Turner
Posey	Scalise	Upton
Ratcliffe	Schweikert	Valadao
Reed	Scott, Austin	Wagner
Reichert	Sensenbrenner	Walberg
Renacci	Sessions	Walden
Rice (SC)	Shimkus	Walker
Roby	Shuster	Walorski
Roe (TN)	Simpson	Walters, Mimi
Rogers (AL)	Smith (MO)	Weber (TX)
Rogers (KY)	Smith (NE)	Webster (FL)
Rohrabacher	Smith (NJ)	Wenstrup
Rokita	Smith (TX)	Westerman
Rooney, Francis	Smucker	Williams
Rooney, Thomas J.	Stefanik	Wilson (SC)
Ros-Lehtinen	Stewart	Wittman
Roskam	Stivers	Womack
Ross	Taylor	Woodall
Rothfus	Tenney	Yoder
Rouzer	Thompson (PA)	Yoho
Royce (CA)	Thornberry	Young (AK)
Russell	Tiberi	Young (IA)
Rutherford	Tipton	Zeldin
	Trott	

NAYS—187

Adams	Gabbard	Neal
Aguilar	Gallego	Nolan
Barragán	Garamendi	Norcross
Bass	Gonzalez (TX)	O'Halleran
Bera	Gottheimer	O'Rourke
Beyer	Green, Al	Pallone
Bishop (GA)	Green, Gene	Panetta
Blumenauer	Grijalva	Pascrell
Blunt Rochester	Gutiérrez	Payne
Bonamici	Hanabusa	Pelosi
Boyle, Brendan F.	Hastings	Perlmutter
Brady (PA)	Heck	Peters
Brown (MD)	Higgins (NY)	Peterson
Brownley (CA)	Himes	Pingree
Bustos	Hoyer	Pocan
Butterfield	Huffman	Polis
Capuano	Jayapal	Price (NC)
Carbajal	Jeffries	Quigley
Cárdenas	Johnson (GA)	Raskin
Carson (IN)	Johnson, E. B.	Rice (NY)
Cartwright	Kaptur	Richmond
Castor (FL)	Keating	Rosen
Castro (TX)	Kelly (IL)	Roybal-Allard
Chu, Judy	Kennedy	Ruiz
Ciçilline	Khanna	Ruppersberger
Clark (MA)	Kihuen	Ryan (OH)
Clarke (NY)	Kildee	Sánchez
Clay	Kilmer	Sarbanes
Cleaver	Kind	Schakowsky
Cohen	Krishnamoorthi	Schiff
Connolly	Kuster (NH)	Schneider
Conyers	Langevin	Schrader
Correa	Larsen (WA)	Scott (VA)
Costa	Larson (CT)	Scott, David
Courtney	Lawrence	Serrano
Crist	Lawson (FL)	Sewell (AL)
Crowley	Lee	Shea-Porter
Cuellar	Levin	Sherman
Cummings	Lewis (GA)	Sinema
Davis (CA)	Lien, Ted	Slaughter
Davis, Danny	Lipinski	Soto
DeFazio	Loebach	Speier
DeGette	Lofgren	Suozi
Delaney	Lowenthal	Swalwell (CA)
DeLauro	Lowey	Takano
DelBene	Lujan Grisham, M.	Thompson (CA)
Demings	Luján, Ben Ray	Thompson (MS)
DeSaulnier	Lynch	Titus
Deutch	Maloney	Tonko
Dingell	Carolyn B.	Torres
Doggett	Maloney, Sean	Tsongas
Doyle, Michael F.	Matsui	Vargas
Ellison	McCollum	Veasey
Engel	McEachin	Vela
Eshoo	McGovern	Velázquez
Espallat	McNerney	Vislosky
Esty	Meeks	Walz
Evans	Meng	Wasserman
Foster	Moore	Schultz
Frankel (FL)	Moulton	Waters, Maxine
Fudge	Murphy (FL)	Watson Coleman
	Nadler	Welch
	Napolitano	Wilson (FL)
		Yarmuth

NOT VOTING—11

Beatty	Mulvaney	Sires
Chaffetz	Poe (TX)	Smith (WA)
Cooper	Price, Tom (GA)	Zinke
Jackson Lee	Rush	



□ 1336

Messrs. CUELLAR and PETERSON changed their vote from “yea” to “nay.”

So the previous question was ordered.

The result of the vote was announced as above recorded.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

## RECORDED VOTE

Mr. POLIS. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This is a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 233, noes 186, not voting 13, as follows:

[Roll No. 82]

## AYES—233

Abraham	Flores	Massie
Aderholt	Fortenberry	Mast
Allen	Foxx	McCarthy
Amash	Franks (AZ)	McCaul
Amodei	Frelinghuysen	McClintock
Arrington	Gaetz	McHenry
Babin	Gallagher	McKinley
Bacon	Garrett	McMorris
Banks (IN)	Gibbs	Rodgers
Barletta	Gohmert	McSally
Barr	Goodlatte	Meadows
Barton	Gosar	Meehan
Bergman	Gowdy	Messer
Biggs	Granger	Mitchell
Billirakis	Graves (GA)	Moolenaar
Bishop (MI)	Graves (LA)	Mooney (WV)
Bishop (UT)	Graves (MO)	Mullin
Black	Griffith	Murphy (PA)
Blackburn	Grothman	Newhouse
Blum	Guthrie	Noem
Bost	Harper	Nunes
Brady (TX)	Harris	Olson
Brat	Hartzler	Palazzo
Bridenstine	Hensarling	Palmer
Brooks (AL)	Herrera Beutler	Paulsen
Brooks (IN)	Hice, Jody B.	Pearce
Buchanan	Higgins (LA)	Perry
Buck	Hill	Pittenger
Bucshon	Holding	Poliquin
Budd	Hollingsworth	Posey
Burgess	Hudson	Ratcliffe
Byrne	Huizenga	Reed
Calvert	Hultgren	Reichert
Carter (GA)	Hunter	Renacci
Carter (TX)	Hurd	Rice (SC)
Chabot	Issa	Roby
Cheney	Jenkins (KS)	Roe (TN)
Coffman	Jenkins (WV)	Rogers (AL)
Cole	Johnson (LA)	Rogers (KY)
Collins (GA)	Johnson (OH)	Rohrabacher
Collins (NY)	Johnson, Sam	Rokita
Comer	Jones	Rooney, Francis
Comstock	Jordan	Rooney, Thomas
Conaway	Joyce (OH)	J.
Cook	Katko	Ros-Lehtinen
Costello (PA)	Kelly (MS)	Roskam
Cramer	Kelly (PA)	Ross
Crawford	King (IA)	Rothfus
Culberson	King (NY)	Rouzer
Curbelo (FL)	Kinzinger	Royce (CA)
Davidson	Knight	Russell
Davis, Rodney	Kustoff (TN)	Rutherford
Denham	Labrador	Sanford
Dent	LaHood	Scalise
DeSantis	LaMalfa	Schweikert
DesJarlais	Lamborn	Scott, Austin
Diaz-Balart	Lance	Sensenbrenner
Donovan	Latta	Sessions
Duffy	Lewis (MN)	Shimkus
Duncan (SC)	LoBiondo	Shuster
Duncan (TN)	Long	Simpson
Dunn	Loudermilk	Smith (MO)
Emmer	Love	Smith (NE)
Farenthold	Lucas	Smith (NJ)
Faso	Luetkemeyer	Smith (TX)
Ferguson	MacArthur	Smucker
Fitzpatrick	Marino	Stefanik
Fleischmann	Marshall	Stewart

Stivers  
Taylor  
Tenney  
Thompson (PA)  
Thornberry  
Tiberi  
Tipton  
Trott  
Turner  
Upton  
Valadao

Wagner  
Walberg  
Walden  
Walker  
Walorski  
Walters, Mimi  
Weber (TX)  
Webster (FL)  
Wenstrup  
Westerman  
Williams

Wilson (SC)  
Wittman  
Womack  
Woodall  
Yoder  
Yoho  
Young (AK)  
Young (IA)  
Zeldin

## NOES—186

Adams  
Aguilar  
Barragán  
Bass  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.

Brady (PA)  
Brown (MD)  
Brownley (CA)  
Bustos  
Butterfield  
Capuano  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Clark (MA)  
Clarke (NY)  
Clay

Cleaver  
Clyburn  
Cohen  
Connolly  
Conyers  
Correa  
Costa  
Courtney  
Crist  
Crowley  
Cuellar  
Cummings  
Davis (CA)  
Davis, Danny  
DeFazio  
DeGette  
Delaney  
DeLauro  
DelBene  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Ellison  
Engel  
Eshoo  
Españolat  
Esty  
Evans  
Foster  
Frankel (FL)  
Fudge

Beatty  
Chaffetz  
Cooper  
Hastings  
Jackson Lee

Gabbard  
Gallego  
Garamendi  
Gonzalez (TX)  
Gottheimer  
Green, Al  
Green, Gene  
Grijalva  
Gutiérrez  
Hanabusa  
Heck  
Higgins (NY)  
Himes  
Hoyer  
Huffman  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson, E. B.  
Kaptur  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kihuen  
Kildee  
Kilmer  
Kind  
Krishnamoorthi  
Kuster (NH)  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee  
Levin  
Lewis (GA)  
Lieu, Ted  
Lipinski  
Loebach  
Lofgren  
Lowenthal  
Lowe  
Lujan Grisham,  
M.

Luján, Ben Ray  
Lynch  
Maloney  
Carolyn B.  
Maloney, Sean  
Matsui  
McCollum  
McEachin  
McGovern  
McNerney  
Meeks  
Meng  
Moore  
Moulton  
Murphy (FL)  
Nadler  
Napolitano  
Neal

## NOT VOTING—13

Marchant  
Mulvaney  
Poe (TX)  
Price, Tom (GA)  
Rush

Nolan  
Norcross  
O'Halleran  
O'Rourke  
Pallone  
Panetta  
Pascarella  
Payne  
Pelosi  
Perlmutter  
Peters  
Peterson  
Pingree  
Pocan  
Polis  
Price (NC)  
Quigley  
Raskin  
Rice (NY)  
Richmond  
Rosen  
Roybal-Allard  
Ruiz  
Ruppersberger  
Ryan (OH)  
Sánchez  
Sarbanes  
Schakowsky  
Schiff  
Schneider  
Schrader  
Scott (VA)  
Scott, David  
Serrano  
Sewell (AL)  
Shea-Porter  
Sherman  
Sinema  
Slaughter  
Soto  
Speier  
Suozi  
Swalwell (CA)  
Takano  
Thompson (CA)  
Thompson (MS)

Titus  
Tonko  
Torres  
Tsongas  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walz  
Wasserman  
Schultz  
Waters, Maxine  
Watson Coleman  
Welch  
Wilson (FL)  
Yarmuth

## RESIGNATIONS AS MEMBER OF COMMITTEE ON THE JUDICIARY AND COMMITTEE ON SMALL BUSINESS

The SPEAKER pro tempore laid before the House the following resignations as a member of the Committee on the Judiciary and the Committee on Small Business:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, February 7, 2017.

Hon. PAUL RYAN,  
Speaker of the House,  
Washington, DC.

DEAR SPEAKER RYAN: Given my appointment to the House Committee on Ways and Means, I hereby resign from the House Judiciary Committee. I also submit my resignation from the Committee on Small Business as a permanent member.

Sincerely,

JUDY CHU, Ph.D.,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignations are accepted.

There was no objection.

## ELECTING MEMBERS TO CERTAIN STANDING COMMITTEES OF THE HOUSE OF REPRESENTATIVES.

Mr. CROWLEY. Mr. Speaker, by direction of the Democratic Caucus, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read the resolution, as follows:

## H. RES. 95

*Resolved*, That the following named Members be and are hereby elected to the following standing committees of the House of Representatives:

(1) COMMITTEE ON ARMED SERVICES.—Mr. O'Halleran and Mr. Suozzi.

(2) COMMITTEE ON THE BUDGET.—Ms. Jackson Lee and Ms. Schakowsky.

(3) COMMITTEE ON THE JUDICIARY.—Mr. Schneider.

(4) COMMITTEE ON NATURAL RESOURCES.—Mr. Clay.

(5) COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM.—Mr. Welch, Mr. Cartwright, and Mr. DeSaulnier.

(6) COMMITTEE ON SCIENCE, SPACE, AND TECHNOLOGY.—Mr. McNerney, Mr. Perlmutter, Mr. Tonko, Mr. Foster, Mr. Takano, Ms. Hanabusa, and Mr. Crist.

(7) COMMITTEE ON SMALL BUSINESS.—Ms. Clarke of New York, Ms. Judy Chu of California, Ms. Adams, and Mr. Españolat.

(8) COMMITTEE ON VETERANS' AFFAIRS.—Mr. Sablan, Ms. Esty, and Mr. Peters.

(9) COMMITTEE ON WAYS AND MEANS.—Ms. Judy Chu of California.

Mr. CROWLEY (during the reading). Mr. Speaker, I ask unanimous consent that the resolution be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

□ 1343

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.